



भारत का राजपत्र The Gazette of India

असाधारण
EXTRAORDINARY

भाग II—खण्ड 2
PART II—Section 2

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं० 19] नई दिल्ली, शुक्रवार, जुलाई 26, 1991/श्रावण 4, 1913
No. 19] NEW DELHI, FRIDAY, JULY 26, 1991/SRAVANA 4, 1913

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed
as a separate compilation.

RAJYA SABHA

The following Bills were introduced in the Rajya Sabha on the 26th July, 1991:—

I

BILL NO. XIX OF 1991

A Bill to provide for the establishment of an autonomous Board for fixation of yearly minimum support prices of all the agricultural produce in the country for the benefit of farmers and for matters connected therewith.

BE it enacted by Parliament in the Forty-second Year of the Republic of India as follows:—

1. (1) This Act may be called the Agricultural Produce Price Fixation Board Act, 1991.

(2) It extends to the whole of India.

(3) It shall come into force at once.

2. In this Act, unless the context otherwise requires,—

(a) “agricultural produce” includes paddy, wheat, pulses, sugarcane, cotton, oil-seeds, fruits, jute and such other agricultural or horticultural produce which is used for human consumption or for any medicinal purposes;

(b) “Board” means the agricultural produce price fixation Board established under Section 3.

Short
title,
extent,
and com-
mence-
ment.

Defini-
tions.

Establish-
ment of
agricul-
tural
produce
price
fixation
Board.

3. (1) The Central Government shall, by notification in the Official Gazette, establish a Board to be known as Agricultural Produce Price Fixation Board, with its headquarters at New Delhi.

(2) The Board shall consist of,—

(a) a Chairman, with agricultural qualifications or background, to be appointed by the Central Government;

(b) one member from each zonal office of the Board;

(c) one member from each State Government and Union Territory Administration;

(d) one member each to represent the Ministry of the Central Government dealing with Agriculture and with Fertilizers;

(e) one member to represent the Indian Council of Agricultural Research;

(f) one representative of agricultural labour to be appointed by the Central Government;

(g) four members to be appointed by the Central Government from amongst farmers;

(h) four members of Parliament of whom two each shall be elected by the House of the people and Council of States respectively.

(3) The Board shall be a body corporate by the name aforesaid having perpetual succession and a common seal, with power to acquire, hold and dispose of property, both movable and immovable, and to contract and shall by the said name sue and be sued.

Term of
Office
etc.

4. The term of office of members and the manner of filling vacancies and the procedure to be followed in the discharge of their functions by the members shall be such, as may be prescribed.

Zonal
Offices.

5. (1) The Board shall set up one zonal office each in the eastern, western northern and southern parts of the country comprising of such States and Union Territories as may be determined by the Board.

(2) The Zonal Office shall consist of,—

(i) a Chairman to be appointed by the Central Government;

(ii) one member from each State or Union Territory within its jurisdiction to be nominated by the concerned State Government or Union Territory Administration as the case may be.

(iii) three representatives of farmers;

(iv) one member each representing agricultural labourer and traders of agricultural produce.

Functions
of the
Board.

6. (1) It shall be the duty of the Board,—

(i) to fix and declare remunerative prices of agricultural produce before every sowing season after examining the recommendations of all the Zonal Offices:

Provided that different prices may be fixed for different Zones.

(ii) to ensure that the growers of foodgrains get a reasonable and remunerative minimum price for their produce;

(iii) to fix the issue prices of foodgrains for retail sale to consumers every year.

(2) The Board shall perform its function in close liaison with Union agencies, institutions and authorities concerned with the procurement, supply, distribution, trade etc. of agricultural produce and avoid duplication of effort.

7. The Board shall give wide publicity to the remunerative prices fixed for agricultural produce through electronic media and newspapers throughout the country.

Publicity
to prices
of agricul-
tural
produce.

8. The Chairman, members and officers of the Board and Zonal Officers of the Board shall be entitled to such salary, allowances and other privileges in respect of leave, pension and other matters, as may, from time to time, be fixed by the Central Government.

Salary
and
condi-
tions of
service
of Chair-
man,
members
and
officers
of the
Board.

9. (1) It shall be the duty of each Zonal Office to recommend to the Board the remunerative prices of agricultural produce in respect of its jurisdiction.

Duties
of the
Zonal
Offices.

(2) Each Zonal Office, before recommending the remunerative prices, shall take into account all relevant factors, but in particular, the following namely:—

(a) average capital investment made by agriculturists or farmers;

(b) average labour charges;

(c) expenditure on crop insurance, if any;

(d) interest on loans borrowed for the purpose of agriculture;

(e) maintenance cost of the farm;

(f) any concession, rebate or subsidy provided by Government in relation to agricultural produce;

(g) prevailing price of each agricultural product in the open market;

(h) climatic conditions and incidence of natural calamities such as floods, droughts, hailstorms, untimely rains and the like;

(i) average monthly household expenditure incurred by an agriculturist including expenditure on education, health and accommodation etc; and

(j) any other incidental expenditure.

Central Government to purchase agricultural produce.

10. The Central Government shall purchase the agricultural produce from agriculturists at the price fixed by the Board through its agencies like the Food Corporation of India if the agriculturists fail to sell their produce in the open market.

Review of remunerative price fixed by the Board.

11. (1) Any agriculturist may file an appeal with the Central Government for reviewing the remunerative price fixed by the Board for any agricultural produce within thirty days of the declaration of the price, if the agriculturist is not satisfied with the price fixation.

(2) The Central Government shall give the decision on the application within fifteen days of the filing of the application.

Power to make rules.

12. The Central Government may, by notification in the official Gazette, make rules for carrying out the purposes of this Act.

STATEMENT OF OBJECTS AND REASONS

Agriculture is the backbone of our economy and agricultural produce and its remunerative price is the backbone of the household of a farmer. The very existence of a farmer depends on the crop he grows and reaps. But unfortunately it is a usual phenomenon that in the immediate post harvest period prices of agricultural produce decline and farmers are left at the mercy of unscrupulous traders who exploit them to the extent possible. The vicious circle of traders and middlemen forces a farmer to sell his produce at throwaway prices but as soon as the lean period sets in, the same foodgrains are sold to consumers at a very high price. This phenomenon is repeated every crop season. There is a committee of the Central Government which fixes the prices of agricultural produce but there has been a great discontentment amongst the farmers regarding the remunerative prices fixed by this agency because generally the prices fixed by it are far below the expectations of farmers. Moreover the Central Government is not bound by the prices so recommended as the agency does not have any legal backing.

It is, therefore, necessary to set up a statutory autonomous agricultural produce price fixation Board to fix the remunerative prices for agricultural produce. It will be mandatory for the Board to consider factors like increase in prices of inputs, wages of labour, rates of good quality seeds, fertilizers, insecticides, farming tools, electricity, pump sets, tractors and other incidental expenditure incurred by a farmer while fixing remunerative prices for agricultural produce which will be placed before the Board by its Zonal Offices. It is proposed to make it mandatory for the Government to purchase agricultural produce from the farmers through its agencies.

The guarantee of a minimum assured price will remove the uncertainty emanating from the not infrequent phenomenon of a steep decline in prices caused by temporary glut in the market. It will also assure the progressive farmer that his efforts to augment production through the adoption of improved technology will not become unremunerative. This can be achieved by establishing an autonomous Board for the purpose.

Hence this Bill.

S. S. AHLUWALIA

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for the establishment of an agricultural produce price fixation Board. Clause 5 provides for setting up of Zonal Offices. Clause 8 provides for salary of members etc. The Bill, therefore, if enacted is likely to involve a recurring expenditure of about rupees thirty lakhs from the consolidated fund of India.

A non recurring expenditure of about rupees Ten Lakhs is also likely to be incurred.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 12 of the Bill empowers the Central Government to frame rules for carrying out the purposes of this Bill. Since the rules will relate to the matters of details, the delegation of legislative power is of a normal character.

II

BILL NO. XX OF 1991

A Bill to provide for the protection of old persons and their welfare by the State by opening persons' homes, providing shelter to the neglected and infirm old persons, giving financial assistance to the needy old persons and for their rehabilitation and matters connected therewith.

Be it enacted by Parliament in the Forty-second Year of the Republic of India as follows:—

1. (1) This Act may be called the Old Persons (Protection and Welfare) Act, 1991.

(2) It extends to the whole of India.

(3) It shall come into force at once.

2. In this Act, unless the context otherwise requires,—

(a) “appropriate Government” means,—

(i) in the case of a State, the State Government; and

(ii) in the case of a Union Territory, the Central Government;

Short
title,
extent
and com-
mence-
ment.

Defini-
tions.

(b) "infirm old person" means an old person who has become infirm due to his age, ailment and who has no independent and adequate means of livelihood;

(c) "old person" means any person who is sixty or more years of age;

(d) "prescribed" means prescribed by rules made under this Act.

Financial
assist-
ance to
old per-
sons.

3. (1) Every old person shall, on an application made in the prescribed form, be given rupees five hundred per mensem as financial assistance for his subsistence by the appropriate Government in whose jurisdiction that person permanently resides.

(2) The financial assistance payable to an old person under this section shall be subject to alteration on the basis of the prevailing price index as may be determined by the Central Government.

(3) The financial assistance referred to in sub-section (1) shall be disbursed to an old person by the appropriate Government through Government treasury or any branch of a public sector bank or post office according to the preference given by the concerned old person in his application.

Estab-
lishment
of old
persons'
Homes.

4. (1) The Central Government shall establish at least one Old Persons' Home in each district of the country at conspicuous places after consulting the concerned State Governments.

(2) The Central Government shall provide all necessary facilities in the Old Persons' Homes for the benefit of their inhabitants.

(3) All the infirm and other old persons neglected by their kith and kin shall be kept in Old Persons' Homes by the appropriate Government.

(4) The persons kept in Old Persons' Homes shall not be entitled to financial assistance referred to in Section 3 of this Act.

Other
facili-
ties to
Old
Persons.

5. The appropriate Government shall provide to old persons,—

(a) free medical aid in Government hospitals and other nearest dispensaries of the Government or other dispensaries or clinics recognised by the appropriate Government;

(b) means of entertainment and such other facilities which may help in removing their distress at being infirm or neglected by their kith and kin.

Area
Police
to keep
records
of Old
persons
and pro-
vide secu-
rity.

6. (1) Notwithstanding anything contained in any law for the time being in force, the local Police of every district headquarter shall keep a record of old persons in its jurisdiction in order to provide maximum security to such persons.

(2) It shall be the duty of the area Station House Officer of the local police to arrange to provide maximum security to every lonely old person or lonely old couple residing in his jurisdiction.

7. The Central Government shall provide adequate funds to the State Governments for carrying out the purposes of this Act.

Central Government to provide adequate funds to State Governments.

8. The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

Power to make rules.

STATEMENT OF OBJECTS AND REASONS

In our society it is customary for every one particularly a male member to look after his old parents and support them. However due to the near disappearance of the joint family system and economic considerations old persons are being increasingly ignored or neglected by their kith and kin and are left to fend for themselves in the society. As a result we find millions of old persons who are unable to take care of themselves or who do not have sufficient means or any support to lead a happy life in old age. Such old persons live in hunger and want and are left uncared for. Though there is a statutory provision contained in Section 125 of the Code of Criminal Procedure 1973, which provides for maintenance allowance for the aged parents from their legal heirs. Generally old persons do not take recourse of this provision either due to their ignorance of the provision or on consideration of self-respect in not asking for support from their children. In some cases these old persons do not want to disturb the life of their kith and kin. In a Welfare State like ours, it is the duty of the State to look after its old citizens so that they can feel comfortable in their declining days.

The recent spate of murders of old persons in the Capital is another pointer towards the growing insecurity of old persons in the Society. Old persons are increasingly becoming easy targets of criminals as is evident from the fact that in the Capital only old persons who were either living alone or lonely old couples were clubbed to death by criminals. Such old people cannot resist the criminals due to their old age and are killed easily even by petty implements such as a cricket bat, iron rod or a log. Thus they become preferential targets of criminals. Hence it has become necessary that utmost security is provided by the State to the old persons living alone or lonely old couples. The State must also open old persons homes in every district with all the facilities where infirm and lonely old persons should be lodged and looked after properly which may alleviate their suffering on account of their being neglected by their kith and kin.

This Bill seeks to achieve the above objects.

S. S. AHLUWALIA.

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for the financial assistance to old persons. Clause 4 provides for opening of Old Persons' Homes in every district of the country. Clause 7 provides that the Central Government shall provide adequate funds to State Governments. This Bill, therefore, if enacted would involve expenditure from the Consolidated Fund of India. However, at this stage it cannot be estimated as to how many old persons will need financial assistance and how many of them will be lodged in Old Persons' Homes. But it is estimated that an annual recurring expenditure of about rupees two hundred crores is likely to be involved from the Consolidated Fund of India.

A non-recurring expenditure to the tune of rupees twenty lakhs will also be involved at the initial stage.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 8 of the Bill empowers the Central Government to make rules for carrying out the purposes of this Bill. As the rules will relate to matters of details only, the delegation of legislative powers is of a Hence, this Bill.

III

BILL NO. XXII OF 1991

A Bill to amend the Special Protection Group Act, 1988.

BE it enacted by Parliament in the Forty-Second Year of the Republic of India as follows:—

1. (1) This Act may be called the Special Protection Group (Amendment) Act, 1991.

(2) It shall come into force at once.

2. In section 4, sub-section (1) of the Special Protection Group Act, 1988 for the words "Prime Minister and the members of his immediate family" the words "Prime Minister or former Prime Minister and the members of his immediate family including his widow and children if such Prime Minister has predeceased his immediate family" shall be substituted.

Short
title
and
commen-
cement.

Amend-
ment
of
section
4 of Act
24 of
1988.

STATEMENT OF OBJECTS AND REASONS

In the year 1983 with a view to providing maximum security to the Prime Minister of the country by a specially trained group of commandos the Special Protection Group Act was enacted by the Parliament. The necessity arose at that time for the enactment of this law because the intelligence reports had revealed that Shri Rajiv Gandhi the then Prime Minister of the country was at the top of the hit list of various terrorist outfits, both in the country as well as outside the country. Apart from this aspect, it was felt necessary in view of the fact that the former Prime Minister Shrimati Indira Gandhi was assassinated by her own security guards belonging to the Delhi Police in 1984 and, therefore, no chances could be taken in case of security of Shri Rajiv Gandhi at that time. As such this force was created. In the year 1989, Shri Rajiv Gandhi ceased to be the Prime Minister of the country but remained at the top of the hit lists of militant outfits and needed the protection of SPG more than during the period while he was in office. But despite his being in Z-category of security risk, the National Front Government withdrew SPG from the security network of Shri Rajiv Gandhi on the pretext that Special Protection Group was constituted only for the Prime Minister of the country and not for the ex-Prime Ministers.

As a result, Shri Rajiv Gandhi became more vulnerable to security threats and the climax came on the night of May 21, 1991, when our beloved and respected Leader was brutally assassinated shattering his body beyond recognition. It is a general feeling in everyones' mind that had the Government not withdrawn SPG from the Security of Late Shri Rajiv Gandhi he could not have been killed so easily.

Now the inevitable has happened. But it is our moral duty to provide utmost security to the family members of late Shri Rajiv Gandhi who are still under serious threats to their lives because some destabilising forces, both within and outside the country, do not want that our country should make progress under the leadership of the kith and kin of late Shri Rajiv Gandhi and are thus determined to eliminate them. This suspicion is based on the fact that within a span of six and half years two prominent members of the Nehru-Gandhi family namely Shrimati Indira Gandhi and Shri Rajiv Gandhi have been brutally assassinated by these destabilising forces which shows their determination to wipe out the entire family of late Shri Rajiv Gandhi. We have to prevent such conspiracy from materialising any more. Therefore, in order to provide SPG protection to the family of the former Prime Minister, the Special Protection Group Act needs to be amended.

Hence, this Bill.

S. S. AHLUWALIA

IV

BILL NO. XXIII OF 1991

A Bill further to amend the Constitution of India.

BE it enacted by Parliament in the Forty-second Year of the Republic of India as follows:—

1. This Act may be called the Constitution (Amendment) Act, 1991.

Short
title.

2. For article 121 of the Constitution, the following article shall be substituted, namely:—

Substitu-
tion of
new arti-
cle for
article
121.

“121. No discussion shall take place in Parliament with respect to the conduct of any Judge of the Supreme Court or of a High Court or Comptroller and Auditor-General of India in the discharge of his duties except upon a motion for presenting an address to the President praying for the removal of the Judge or Comptroller and Auditor-General of India as hereinafter provided.”.

Restric-
tion on
discus-
sion in
Parlia-
ment.

STATEMENT OF OBJECTS AND REASONS

Recently there has been personal and unwarranted criticism of the office of the Comptroller and Auditor-General of India in the Parliament and, therefore, a demand has followed that Constitutional immunity against personal attacks on this office should be provided on the lines of the privileges enjoyed by the courts and the legislatures.

There was a near unanimity in the Constituent Assembly that the CAG "is the most important functionary under the Constitution in his position as the watchdog of the country's finances; and that in a democracy, while it was for the legislature to sanction and for the executive to spend monies, the Comptroller and Auditor-General had to scrutinise that the monies sanctioned by the legislature were properly spent by the executive."

Dr. B. R. Ambedkar participating in the debate in Constituent Assembly emphasising the immunity of this sensitive office from interference by the executive said "personally, speaking for myself, I am of opinion that this holder of office is probably the most important officer under the Constitution of India. He is the one man who is going to see that the expenditure voted by Parliament is not exceeded or varied from what has been laid down by Parliament in what is called the APPROPRIATION ACT. If this functionary is to carry out the duties and his duties, I submit, are far more important than the duties even of the judiciary, he should have been certainly as independent as judiciary. But, comparing the Articles about the Supreme Court and the Articles relating to the Auditor-General, I cannot help saying that we have not given him the same independence which we have given to the judiciary, although I personally feel that he ought to have far greater independence than the judiciary itself."

In 1954, Dr. S. Radhakrishnan describing the importance of CAG remarked "Ours is a poor country, its resources are limited and we cannot afford to risk any kind of waste and, therefore, the Audit Department will have to look upon their functions as functions of the greatest public utility by pointing out errors and by showing where and how we can remove abuses, effect economy, increase efficiency and reduce waste of expenditure."

There is a similarity in the constitutional provisions relating to the mode of appointment and procedure for removal for the Supreme Court Judges and the CAG. The oath prescribed by the Constitution for the CAG is the same as that of a Judge of the Supreme Court. The Comptroller and Auditor-General's (Duties, Powers and Conditions of Service) Act, 1971 provides that "There shall be paid to the CAG a salary which is equal to the salary of the Judge of the Supreme Court and that he shall be entitled to a pension which is equal to the pension payable to a Judge of the Supreme Court."

Both a Judge of the Supreme Court and the CAG are required to vacate their offices on attaining the age of sixty-five years.

CAG is expected to do his job and discharge his Constitutional duties and obligations without fear or favour, affection or illwill. This is high time to protect the CAG from personal and unwarranted attacks and also to take adequate steps to safeguard the autonomy and independence of the institution and also to provide him constitutional immunity.

Hence this Bill

SATYA PRAKASH MALAVIYA

BILL NO. XXIV OF 1991

A Bill further to amend the Constitution of India.

BE it enacted by Parliament in the Forty-second Year of the Republic of India as follows:—

Short
title.

1. This Act may be called the Constitution (Amendment) Act 1991.

Amend-
ment of
Tenth
Schedule.

2. In paragraph 2 of the Tenth Schedule to the Constitution,—

(a) in the *Explanation* to sub-paragraph (1) sub clause (ii) of clause (b) shall be omitted;

(b) for sub-paragraph (3) the following sub-paragraph shall be substituted, namely:—

“(3) A nominated member of a House who is not a member of any political party on the date of his nomination as such member, shall be disqualified for being a member of the House, if he joins any political party after such nomination.”.

STATEMENT OF OBJECTS AND REASONS

A member of a House nominated by the President of India, who is not a member of any political party on the date of his nomination, can, under sub-paragraph (3) of paragraph 2 of the Tenth Schedule to the Constitution, join any political party within six months from the date on which he takes his seat in the House. This is not in accordance with the spirit of the Constitution. The Constitution, therefore, needs to be amended to the effect that any person nominated by the President, if he is not already a member of any political party, must continue his independent status throughout his term of membership of the House.

This Bill seeks to achieve the aforesaid objective.

SATYA PRAKASH MALAVIYA

VI

BILL No. XXV OF 1991

A Bill to provide for the recognition of electropathy system of medicine and for matters connected therewith.

BE it enacted by Parliament in the Forty-second Year of the Republic of India as follows:—

Short
title,
extent
and
com-
mence-
ment.

1. (1) This Act may be called the Electropathy System of Medicine (Recognition) Act, 1991.

(2) It extends to the whole of India.

(3) It shall come into force at once.

Defini-
tions.

2. In this Act, unless the context otherwise requires,—

(a) “Authority” means the National Electropathy Medical Authority established under section 3;

(b) “degree” means the degree of Bachelor of Electropathy, Medicines and Surgery (B.E.M.S.) awarded by an institution established by the Authority;

(c) “diploma” means the Diploma in Electro Homoeo Medicine (D.E.H.M.) awarded by an institution established by the Authority;

(d) “Electropathy system” means the electropathy or electro homoeopathy system of medicine;

(e) "Fund" means the National Electropathy Medical Authority Fund constituted under section 4;

(f) "Institution" means an institution, established by the Authority, which awards a degree or diploma after successful completion of a prescribed course of study or training in electropathy;

(g) "prescribed" means prescribed under the rules made under section 11.

3. (1) The Central Government shall establish an Authority, consisting of a Chairman and such number of members as may be prescribed, to be known as the National Electropathy Medical Authority.

Establishment of National Electropathy Medical Authority.

(2) The registered office of the Authority shall be at New Delhi.

4. The Central Government shall constitute a Fund to be called the National Electropathy Medical Authority Fund for the development of the Electropathy System of Medical Science.

Constitution of National Electropathy Medical Authority Fund.

5. The Authority shall perform the following functions:—

Functions of Authority.

(a) establish institutions;

(b) establish, organise, finance and maintain hospitals of electropathy system of medicine throughout the country;

(c) organise the manufacture of electropathic medicines;

(d) organise the conduct of research in electropathy system of medicine; and

(e) organise assistance to the medical practitioners of electropathy systems.

6. The degrees and diplomas awarded by institutions established under section 5, shall be recognised by the Authority.

Recognition of degrees and diplomas.

7. All persons who have been awarded degrees or diplomas by an institution shall register themselves with the Authority, which shall maintain a Register for the purpose.

Registration with Authority.

8. All those who have registered themselves with the Authority under section 7, shall have the right to practise in the electropathy system of medicine throughout the country.

Right to practise Electropathy System of medicine.

Advisory
Council.

9. The Central Government shall set up an Advisory Council, consisting such number of members as may be prescribed, to advise the Authority.

Submis-
sion of
returns.

10. The Authority shall submit to the Central Government periodical returns containing list of doctors registered with it, of the hospitals and the institutions established by it, the particulars of expenditure incurred from the fund and such other particulars as may be prescribed.

Power
to make
rules.

11. The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

STATEMENT OF OBJECTS AND REASONS

The Electropathy Medical Science is harmless and natural a system of medicines discovered in 1865 by Dr. Count Ceaser Mattie of Italy on the basic principle of "COMPLEXA-COMPLEXIS-CURANTURE". The medicines of electropathy are prepared by a scientific process called the 'Spagiric way', commonly known as 'COHOBATION' method in which the living energies of the plant remain in the essence obtained from the plants. These medicines have curative capacity to regulate the lymph and blood and also to keep them purified. Only non-poisonous plants are used for preparing medicines under this system. Alcohol or spirit or other poisonous materials are not used in the preparation of these medicines. Hence, there will be no side effects on human body. Any discomfort can be easily and quickly controlled. These medicines are cheap and harmless.

In the beginning, the medical systems, namely, Ayurveda, Unani and Homoeopathy were also registered under Registration of Societies Act, 1860 and these systems were practised before 1932 and 1952, respectively, even without recognition. They were later recognised by the Government.

The Board of Naturo Electro Homoeo Medico's (N.E.H.M.) of India, New Delhi, is registered under the Societies Act, 1860 which works for the promotion and development of Electropathy Medical Science. Its entire working is controlled and supervised by a Committee constituted for the purpose.

At present there is no recognition and legal protection to this system of medical science known as "electropathy" and to the doctors trained by the N.E.H.M. of India, New Delhi, through a number of Electropathy Institutions, and practising this pathy and to the institutions set up by this body for the promotion and development of this new medical science. Considering the vast number of electropathy doctors, institutions and their contributions towards the propagation, promotion and development of this new "electropathy" medical science, it is high time that this new medical science is given recognition and legal protection by suitably legislation.

Hence, this Bill.

SATYA PRAKASH MALAVIYA

FINANCIAL MEMORANDUM

Clause 3 of the Bill provides that the Central Government shall establish a National Electropathy Medical Authority. Clause 4 provides that the Central Government shall constitute a National Electropathy Medical Authority Fund. Clause 9 provides that the Central Government shall set up an Advisory Council to advise the authority. The provisions of Bill, therefore, if enacted and brought into operation, will involve expenditure from the Consolidated Fund of India. It is likely to involve a recurring expenditure of about rupees twenty-five lakhs per annum.

Non-recurring expenditure of about rupees ten lakhs is also likely to be involved from the Consolidated Fund of India.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 11 of the Bill empowers the Central Government to make rules for carrying out the purposes of the Bill. Since the rules relate to matters of details only, the delegation of the legislative power is of a normal character.

SUDARSHAN AGARWAL,
Secretary-General.